

# **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

## **INITIAL STATEMENT OF REASONS**

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 2  
AMEND ARTICLE 9, SECTION 712

### **LIGHTING EQUIPMENT - FOG LAMPS (CHP-R-03-01)**

#### **PURPOSE OF REGULATIONS AND PROPOSED AMENDMENTS**

Section 26103 of the California Vehicle Code (VC) authorizes the CHP to adopt regulations establishing standards and specifications for, among other items, lighting equipment. Standards for auxiliary driving lamps, fog lamps and passing lamps are contained in Sections 710 through 713, Title 13, California Code of Regulations (13 CCR).

The current standards for fog lamps adopt by reference two specific standards adopted by the Society of Automotive Engineers (SAE). Fog lamps may currently meet the standards contained in either SAE Standard J583d, July 1977 or J583, JUN93, at the option of the manufacturer. The CHP believes that these standards have served well in defining fog lamps that provide additional roadway illumination for vehicle operators during periods of inclement weather and protecting oncoming motorists from excessive glare.

The CHP is now proposing to amend these standards to provide that fog lamps may also comply with the latest version of this standard, SAE J583 JUN2001, again at the option of the manufacturer. This latest version of the SAE standard for fog lamps provides a sharper cutoff of upper illumination, facilitating lamp aim and further reducing glare to oncoming motorists.

The CHP is making this proposal in response to industry requests. Adopting this standard will allow manufacturers to meet the requirements of the latest standard, or either of the earlier standards, at their option.

The CHP believes that the latest SAE standard will minimize glare to oncoming motorists and further believes that adopting this latest standard may have a positive effect on traffic safety. However, the CHP also believes that most complaints regarding excessive glare from fog lamps result from misaim rather than insufficiently strict beam pattern requirements. Therefore the CHP has not identified any compelling need to require that all fog lamps be manufactured to the latest standard. Consequently, the CHP proposes to permit, but not require, that fog lamps comply with the latest SAE standard, and to continue to permit that they comply with either of the earlier standards.

## **SECTION BY SECTION OVERVIEW**

### **§712. Photometric Test Requirements.**

This Section is amended to include SAE Standard J583 JUN2001 among those with which manufacturers may elect to comply. Fog lamps would then be permitted to comply with either SAE Standard J583d, July 1977, J583, JUN93, or J583 JUN2001. Thus, manufacturers may choose to comply with either of the earlier standards, requiring no further action or further costs, on their part, or the latest version, which may result in initially increased costs for design, manufacturing and testing of their products, some changes to, but relieving them of attempting to comply with both the older standards applicable in this state, and newer standards which may be applicable in other states.

## **STUDIES/RELATED FACTS**

SAE Recommended Practice SAE J583 JUN2001 lends support to this proposed rulemaking. Due to the fact that the document is copyrighted by the SAE, copies are not available for mailing. The standard may be viewed by appointment only at the CHP, Commercial Vehicle Section. To make an appointment for viewing the document, please contact the Department at (916) 445-1865, (800) 735-2929 (TT/TDD), (800) 735-2922 (Voice), or via Facsimile at (916) 446-4579. Copies of these standards are also available from the SAE. You may contact the SAE at (412) 776-4841 and request purchase of Recommended Practice SAE J583 JUN2001.

## **ALTERNATIVES**

The CHP has not identified any alternative, including the no action alternative, that would be more effective and less burdensome for the purpose for which this action is proposed. Additionally, the CHP has not identified any alternative which would be as effective and less burdensome to affected persons other than the action being proposed.

### *Alternatives Identified and Reviewed*

1. Make no changes to the existing regulations. This alternative was rejected because it fails to provide for the potential safety benefits of the new standard and may increase costs for manufacturers attempting to comply with both older and newer standards.

## **LOCAL MANDATE**

These regulations do not impose any new mandate on local agencies or school districts.



## **ECONOMIC IMPACT ON BUSINESS**

The CHP has not identified any significant adverse impact on businesses.

## **FISCAL IMPACT TO THE STATE**

The Department has determined these regulation amendments will result in:

- No significant increased costs for vehicle owners or operators. This rulemaking action will simplify design, manufacturing and testing and may result in lower costs;
- No significant compliance cost for persons or businesses directly affected;
- No discernible adverse impact on the quantity and distribution of goods and services to large and small businesses or the public;
- No impact on the level of employment in the state; and
- No impact on the competitiveness of this state to retain businesses, as state, provincial and national governments throughout North America have already adopted these requirements.